

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
GLORIA KINGSTON,

Plaintiff,

-against-

ROSICKI, ROSICKI & ASSOCIATES, P.C.,  
and FEDERAL NATIONAL MORTGAGE  
ASSOCIATION a/k/a FANNIE MAE,

Defendants.  
-----X

U.S. DISTRICT COURT  
INVESTIGATIVE DIVISION  
U.S. DISTRICT COURT E.D.N.Y.

★ JUN 15 2006 ★  
Civil Action No.

BROOKLYN OFFICE

**CV 06 2973**  
NOTICE OF REMOVAL

**GLEESON, J.**

**LEVY, M.J.**

Defendant Federal National Mortgage Association ("Fannie Mae"), a  
Congressionally chartered federal instrumentality of the United States, files this  
Notice of Removal pursuant to 28 U.S.C. §§ 1441 and 1446, as well as 12 U.S.C.  
§1723a, to give notice that it is removing this action from the Supreme Court of  
the State of New York, County of Kings, to the United States District Court for the  
Eastern District of New York. Pursuant to said removal and in accordance with  
28 U.S.C. §1446(d), the Supreme Court of the State of New York, County of  
Kings, shall proceed no further with this action.

Fannie Mae submits the following in support of this Notice Removal:

Fannie Mae is a congressionally chartered federal instrumentality which  
was established to carry out vital public policies prescribed by statute: To create  
a secondary market for residential mortgage financing, stimulate the flow of  
private capital into housing, and improve the affordability of home ownership.  
See 12 U.S.C. § 1716.

2. On or about May 5, 2006, plaintiff Gloria Kingston ("plaintiff"), filed a complaint against Fannie Mae in the Supreme Court of the State of New York, Kings County. In addition, plaintiff named Rosicki, Rosicki & Associates, P.C. as a defendant. A true and correct of the Complaint and process served on all defendants is attached hereto as composite Exhibit "A". No other process, pleadings or orders have been served upon the removing defendant to date in this action.

3. This Notice of Removal is filed within thirty (30) days after the receipt by any defendant, through service or otherwise, of copies of the initial pleadings setting forth the claim for relief upon which such action is based. Consequently, the removal of this action is timely pursuant to 28 U.S.C. § 1446(b)

4. Defendant Rosicki, Rosicki & Associates, P.C., consents to removal and joins in this Notice of Removal. See Rosicki, Rosicki & Associates, P.C.'s Joinder in Notice of Removal, attached hereto as Exhibit "B".

**FEDERAL JURISDICTION CONFERRED BY FANNIE MAE'S  
CHARTER**

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5. Federal subject matter jurisdiction exists in this action by virtue of 12 U.S.C. §1723a, a provision of the Fannie Mae Charter Act that grants Fannie Mae authority "to sue and be sued, and to complain and to defend, in any court of competent jurisdiction, State or Federal." See American National Red Cross v. S.G. & A.E., 505 U.S. 247, 248 (1992) (holding "sue and be sued" provision in charter act of federally chartered corporation that expressly mentions federal

courts to confer original federal jurisdiction over all cases to which the federally chartered corporation is a party "with the consequence that the organization is thereby authorized to removal from state to federal court of any state-law action it is defending").

6. Fannie Mae reserves the right to submit evidence supporting this Notice of Removal should Plaintiff move to remand.

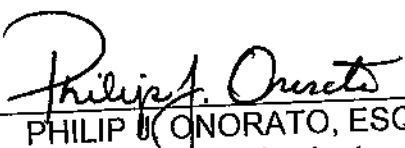
7. By virtue of this removal petition, Fannie Mae does not waive its right to assert any claims or other motions, including Rule 12 motions permitted by the Federal Rules of Civil Procedure.

8. Consequently, this Court has original jurisdiction over the subject matter of this action pursuant to 12 U.S.C. §1723a.

WHEREFORE, Fannie Mae gives notice of the removal of this action to the United States District Court for the Eastern District of New York, and respectfully requests that the Court will accept and retain jurisdiction over this matter.

Dated: New York, New York  
June 14, 2006

WOOD, RAFALSKY, WOOD

By:   
PHILIP J. ONORATO, ESQ. (PJO 7615)  
Attorneys for Defendant  
FEDERAL NATIONAL MORTGAGE  
ASSOCIATION a/k/a FANNIE MAE  
62 William Street - 2<sup>nd</sup> Floor  
New York, New York 10005  
(212) 248-3001

TO: RAPHAEL BERGER, ESQ.  
Attorney for Plaintiff  
GLORIA KINGSTON  
111 Clarkson Avenue  
Brooklyn, New York 11226  
(718) 856-5100

ANDREW MORGANSTERN, ESQ.  
Attorney for Defendant  
ROSICKI, ROSICKI & ASSOCIATES, P.C.  
One Old Country Road, Suite 200  
Carle Place, New York 11514  
(718) 873-6406



06-04-NY  
PO51005  
b/lc ans

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

INDEX NO.

14892/2006

-----X  
GLORIA KINGSTON,

Plaintiff,

**SUMMONS**

-against-

**AND VERIFIED COMPLAINT**

ROSICKI, ROSICKI & ASSOCIATES, P.C.,  
and FEDERAL NATIONAL MORTGAGE  
ASSOCIATION a/k/a FANNIE MAE,

Defendants.  
-----X

To the above-named defendants:  
You are hereby summoned and required to serve upon plaintiff's attorney an answer to the complaint in this action within twenty days after the service of this summons, exclusive of the day of service, or within thirty days after service is complete if this summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint. The basis of the venue designated is real property in the County of Kings, to-wit, 171 East 59<sup>th</sup> Street, Brooklyn, New York 11203.

Dated: Brooklyn, N.Y.  
May 5, 2006

Signature (Rule 130-1.1-a)

RAPHAEL BERGER, ESQ.  
Attorney for Plaintiff  
Brooklyn, N.Y. 11226  
(718) 856-5100  
Fx (718) 287-6801

  
RAPHAEL BERGER

RECEIVED  
LEGAL DEPARTMENT  
2006 MAY 17 PM 1:25

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

INDEX NO.

-----X  
GLORIA KINGSTON,

Plaintiff,

**VERIFIED COMPLAINT**

-against-

FEDERAL NATIONAL MORTGAGE ASSOCIATION  
and ROSICKI, ROSICKI & ASSOCIATES, P.C.,

Defendants.  
-----X

The plaintiff, GLORIA KINGSTON, by her attorney, RAPHAEL BERGER, ESQ., for her complaint against defendants, alleges:

1. Plaintiff, GLORIA KINGSTON, from October 2, 2000 to March 18, 2004, was the owner of premises 171 East 59<sup>th</sup> Street, Brooklyn, New York 11203.

2. Plaintiff, GLORIA KINGSTON, from October 20, 2000 to May 3, 2006, resided at premises 171 East 59<sup>th</sup> Street, Brooklyn, New York 11203.

3. Defendant, FEDERAL NATIONAL MORTGAGE ASSOCIATION, a/k/a FANNIE MAE, (hereinafter referred to as "FANNIE MAE"), by virtue of having purchased said premises at foreclosure by referee's deed dated March 18, 2004, became and still is the owner of said premises. Attached hereto as Exhibit "A" is the deed to 171 East 59<sup>th</sup> Street, Brooklyn, New York, Block 4731 Lot 25.

4. That at all times hereinafter mentioned, defendant, FANNIE MAE, was and still is represented by defendant, ROSICKI, ROSICKI & ASSOCIATES, P.C., (hereinafter referred to as

"ROSICKI"), attorneys admitted to practice in the Courts of New York State.

5. That in May, 2005, defendant, FANNIE MAE, commenced a proceeding in Civil Court, Kings County, Landlord Tenant Part, under Index No. 73314/05 to evict plaintiff, GLORIA KINGSTON, from the premises.

6. That on May 23, 2005, defendant, FANNIE MAE, entered into a contract with plaintiff agreeing to sell 171 East 59th Street, Brooklyn, N.Y. for \$292,762.11 conditioned on plaintiff closing on or before May 27, 2005. Plaintiff could not do so.

7. That on July 6, 2005, plaintiff, without an attorney, entered into a stipulation in the Landlord Tenant Part consenting to a judgment of eviction with warrant stayed to August 20, 2005.

8. That thereafter plaintiff obtained two consecutive stays by order to show cause.

9. That on March 10, 2006 and again on March 16, 2006, plaintiff, by RAPHAEL BERGER, ESQ., her attorney, advised defendant, FANNIE MAE, through its attorney, that plaintiff was able to complete the purchase and requested payoff figures. Attached hereto Exhibit "B" and Exhibit "C".

10. That by letter dated April 10, 2006, defendant, FANNIE MAE, extended the time to purchase to April 13, 2006. Attached hereto as Exhibit "D".

11. That on April 13, 2006, defendant, FANNIE MAE, by its attorneys, defendant, ROSICKI, extended the time to close



to April 28, 2006 for the stated reason that the payoff figures were incorrect and agreed to furnish corrected payoff figures before April 28, 2006.

12. That on April 25, 2006 and April 28, 2006, plaintiff, by its attorney, requested the corrected figures and on each such occasion was advised by defendant, ROSICKI, that the corrected figures were not received by defendant, ROSICKI, from defendant, FANNIE MAE, and that the closing would have to wait a day or two until they received the corrected figures.

13. That on May 1, 2006, defendant, ROSICKI, faxed new figures by fax dated May 1, 2006, which stated the amount of the two checks to be cut "if your client forwards the payoff on or before May 5, 2006". Attached hereto as Exhibit "E".

13. That on May 1, 2006, defendant, ROSICKI, faxed new figures of \$303,572.15 for defendant, FANNIE MAY and \$5,921.84 for defendant, ROSICKI, amounting to \$24,368.98 less than the previous figures of their April 10, 2006 fax (Exhibit "D") and the parties agreed on closing May 3, 2006 at the office of defendant, ROSICKI, at 1 Old Country Road, Suite 200, Carle Place, New York 11514.

14. That on May 3, 2006, plaintiff appeared with her attorney and lender representative who produced official bank checks as requested to Stephanie I. Elmore-Sue, Esq., one of the attorneys of defendant, ROSICKI, who then exhibited the quitclaim deed to plaintiff and proceeded to have plaintiff

execute the acris documents required for recording which were then notarized by Mary McLoughlin, Esq., another one of the attorneys of defendant, ROSICKI. Attached hereto:

Exhibit "F": Official bank checks to defendant, FANNIE MAE, for \$303,572.16;

Exhibit "G": Official bank checks to defendant, ROSICKI, for \$5,921.84;

Exhibit "H": Acris closing documents prepared, executed and notarized by defendants that day.

15. That said Stephanie I. Elmore-Sue, Esq. then left the room stating she was taking the documents for copying and would soon return.

16. That about twenty minutes later the said Stephanie I. Elmore-Sue, Esq. returned and stated she could not deliver the deed because she learned the marshal took possession of the property earlier on the day of the closing, May 3, 2006.

17. Although plaintiff was ready to close before April 28, 2006, defendant, ROSICKI, stated they had to wait until a new payoff figure could be transmitted by defendant, FANNIE MAE, to defendant, ROSICKI, who in turn would advise plaintiff's attorney of the amount.

18. That defendant's letter of May 1, 2006 (Exhibit "E") was a representation in writing that plaintiff could close on or before May 5, 2006.

19. That defendant, FANNIE MAE, and defendant, ROSICKI,

in agreeing to close on May 3, 2006, knew that plaintiff was relying upon their letter.

20. That plaintiff in reliance upon the letter, paid a \$600.00 application fee, a \$3,500.00 commitment fee of one (1%) percent, a \$400.00 appraisal fee, a \$25.00 credit fee, and a \$2,500.00 attorney fee to obtain the \$309,494.00 plus closing costs produced for closing on May 3, 2006 and also was damaged by the difference between the value of the premises and the amount defendants had agreed to accept for the quitclaim deed.


21. That the closing was aborted solely by the wrongful act of defendants to the detriment and damage of plaintiff and constitutes a fraud upon plaintiff.

22. That the closing was and still is solely within the power of defendants to consummate.

23. That unless the closing is rescheduled without delay, plaintiff will sustain additional damages in the loss of her personal property which defendants removed from the premises.

WHEREFORE, plaintiff respectfully asks for judgment of specific performance of defendants' agreement to close and for an order directing defendants to restore plaintiff's personal property forthwith at their own cost and expense, and for such other and further relief as is just, proper and equitable, besides the costs and disbursements of the action and reasonable attorney's fees.

Dated: Brooklyn, N.Y.  
May 5, 2006

  
RAPHAEL BERGER, ESQ.  
Attorney for Plaintiff(s)  
Brooklyn, N.Y. 11226  
(718) 856-5100  
Ex (718) 287-6801

Index No. 13257/02

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
Stella Arsenakos, Esq., Referee,  
Grantor,

TO

Federal National Mortgage Association,  
Grantee.  
-----X

-----  
REFeree'S DEED IN FORECLOSURE  
-----

SECTION:  
BLOCK: 4731  
LOT: 25

RECORD AND RETURN TO:  
Federal National Mortgage Association  
1900 Market Street, Suite 100, Philadelphia, Pennsylvania, 19103

A

ORIGINAL

THIS DEED, made the 18th day of March, 2004

BETWEEN Stella Arsenakos, Esq., 26 Court Street, Suite 606, Brooklyn, NY 11242,  
Referee duly appointed in the action hereinafter mentioned, Grantor, and

Federal National Mortgage Association, 1900 Market Street, Suite 100,  
Philadelphia, Pennsylvania, 19103, Grantee,

WITNESSETH that the grantor, the referee appointed in an action between DLJ,  
MORTGAGE CAPITAL, INC., Plaintiff and THOMAS GIDDINGS, GLORIA KINGSTON, NEW YORK  
CITY ENVIRONMENTAL CONTROL BOARD, NEW YORK CITY TRANSIT ADJUDICATION BUREAU;  
UNITED STATES OF AMERICA, ULA WILLIAMS, Defendants under Index No. 13257/03,  
Kings County Supreme Court, Civic Center, Montague Street, Brooklyn, New York  
11201, foreclosing a mortgage recorded on November 27, 2000, in the Office of the  
Clerk of the County of Kings, in Liber 5015 of Mortgages, at Page 1985, in  
pursuance of a judgment entered at a IAS Term, Part 16 of the Supreme Court, on  
January 21, 2003, and in consideration of

Two hundred thirty thousand eight hundred and 07/100  
(\$ 290,800.07) and /100 Dollars paid by the grantee, being the  
highest sum bid at the sale under said judgment, does hereby grant and convey  
unto the grantee

Said premises known as and by the street address: 171 East 59th Street, Brooklyn,  
New York 11203.

SEE SCHEDULE "A" ANNEXED HERETO AND MADE A PART HEREOF.

Said premises being and intended to be the same premises conveyed by Deed dated  
October 2, 2000, from Thomas Giddings to Gloria Kingston, recorded February 15,  
2001, in Reel 5079 at page 2465.

TO HAVE AND TO HOLD the premises granted unto the grantee Federal National  
Mortgage Association, and its assigns forever. Whenever the text requires, the  
singular number herein shall include the plural and all genders.

IN WITNESS WHEREOF, the grantor has set his hand and seal, the date first above  
written.

Stella Arsenakos, Esq.  
Referee

STATE OF NEW YORK

COUNTY OF Kings

On the 18th day of March in the year 2004, before me, the  
undersigned, a notary public in and for said state, personally appeared Stella  
Arsenakos, Esq. personally known to me or proved to me on the basis of  
satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to  
the within instrument and acknowledged to me that he/she executed the same in  
his/her capacity that by his/her their signature(s) on the instrument, the  
individual(s) or the person upon behalf of which the individual(s), acted  
executed the instrument.

Rosa Tricarico  
NOTARY PUBLIC

ROSA TRICARICO  
Notary Public, State of New York  
No. 01TR308231  
Qualified in Kings County  
Commission Expires Aug 4 2005

A

## Schedule A

Title Number: FF-2188109  
Policy No. : (none)

### SCHEDULE A

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, known and designated as Lot #43 in Block 4731 on a certain plan or map of lots called Rugby E surveyed for Wood, Hammon & Co., 1901 by Fred L. Bartlett, C.E. and filed in the Register's Office of Kings County, 8/7/02 as Map No. 1399, bounded and described as follows:

BEGINNING at a point on the easterly side of East 59<sup>th</sup> Street, distant 220 feet southerly from the corner formed by the intersection of the easterly side of East 59<sup>th</sup> Street and the southerly side of Snyder Avenue;

RUNNING THENCE easterly parallel with Snyder Avenue and part of the distance through a party wall, 100 feet;

THENCE southerly parallel with East 59<sup>th</sup> Street, 20 feet;

THENCE westerly parallel with Snyder Avenue and part of the distance through a party wall, 100 feet to the easterly side of East 59<sup>th</sup> Street;

THENCE northerly along the easterly side of East 59<sup>th</sup> Street, 20 feet to the point or place of BEGINNING.

District \_\_\_\_\_ Section \_\_\_\_\_ Block 4731 Lot 25

This Schedule A has been made accessible via our website for review only purposes. The final Schedule will be included with your Title Commitment. Any changes made to the Schedule which have not been sanctioned by Titleserv, Inc. will not be included in the title policy and therefore will not be insured.

Giddings  
Fk- 02- 1369-F

11/1/06

Issued by:  
TITLESERV, INC.  
(518) 718-4200  
(203) 831-0700

Schedule A includes Page 1 of 1

A

# RAPHAEL BERGER

111 Clarkson Avenue, Brooklyn, N. Y. 11226

ATTORNEY AT LAW

(718) 856-5100

FAX (718) 287-6801

TELECOPIER TRANSMITTAL COVER SHEET

YOUR FAX # : (516) 470-0972  
PHONE : (516) 873-6406 X 46  
DATE : MARCH 10, 2006  
TO : STEPHANIE J. ELMORE ESQ.  
FIRM : ROSICKI, ROSICKI & ASSOCIATES, P.C.  
FROM : RAPHAEL BERGER, ESQ.  
SUBJECT : FNMA  
KINGSTON  
171 EAST 59<sup>TH</sup> ST., Brooklyn, N.Y.  
\$306,871.35 as of 02/17/06

WE CAN DELIVER A CERTIFIED CHECK FOR THE ABOVE AMOUNT  
PLUS ADDITIONAL INTEREST AND COSTS ON MONDAY, MARCH 13<sup>TH</sup>.

WE FAX THE AMOUNT OF ADDITIONAL INTEREST AND COSTS.

TOTAL NUMBER OF PAGES (INCLUDING THIS COVER SHEET) 1  
COMMENTS OR SPECIAL INSTRUCTIONS.

IF THIS TRANSMITTAL IS NOT CLEARLY RECEIVED OR IF ANY PAGES  
ARE MISSING, PLEASE CONTACT RAY (718) 856-5100

B



# RAPHAEL BERGER

111 Clarkson Avenue, Brooklyn, N. Y. 11226

ATTORNEY AT LAW

(718) 856-5100

FAX (718) 287-6801

## TELECOPIER TRANSMITTAL COVER SHEET

YOUR FAX #: (516) 470-0972

PHONE : (516) 873-6406 ext. 46

DATE : MARCH 16, 2006

TO : STEPHANIE J. ELMORE, ESQ.

FIRM : ROSICKI, ROSICKI & ASSOCIATES, P.C.

FROM : RAPHAEL BERGER

SUBJECT : FNMA

KINGSTON

PREMISES: 171 EAST 59<sup>th</sup> ST., B'KLYN, N.Y.

*Eviction Dept. - Julian Brax*  
*516 - 741 - 2585 ext. 14*

THIS WILL REQUEST A PAYOFF FIGURE  
THE UNDERSIGNED REPRESENTS MS. KINGSTON  
WE WILL DELIVER A BANK CHECK MONDAY 3/20/06 11:30 am

  
RAPHAEL BERGER

TOTAL NUMBER OF PAGES (INCLUDING THIS COVER SHEET) \_\_\_\_\_  
COMMENTS OR SPECIAL INSTRUCTIONS:

IF THIS TRANSMITTAL IS NOT CLEARLY RECEIVED OR IF ANY PAGES  
ARE MISSING, PLEASE CONTACT CHANTAL (718) 856-5100

C

**ROSICKI, ROSICKI & ASSOCIATES, P.C.**  
**ATTORNEYS AT LAW**  
**One Old Country Road, Suite 200**  
**Carle Place, New York 11514**  
**Telephone (516) 873-6406**  
**Facsimile (516) 470-0972**  
**ssue@rosicki.com**

April 10, 2006

VIA FACSIMILE (718-287-6801)

Raphael Berger  
Attorney at Law  
111 Clarkson Avenue  
Brooklyn, New York 11226

Re: Federal National Mortgage Association to Althea Thorne  
Premises: 171 East 59<sup>th</sup> Street, Brooklyn, New York

Dear Mr. Berger:

As you are aware, this office represents the Seller in connection with the above referenced matter. You represent the Purchaser in connection with same. Please be advised that if your client forwards the payoff on or before April 13, 2006, the payoff amount is \$333,342.70.

Please have the following checks cut:

1. A CERTIFIED OR BANK CHECK in the amount of \$328,382.65 made payable to Federal National Mortgage Association.
2. A CERTIFIED OR BANK CHECK in the amount of \$5,480.32 made payable to Rosicki, Rosicki & Associates, P.C.

Should you have any questions, please feel free to contact me at ext. 46.

Very truly yours,

ROSICKI, ROSICKI & ASSOCIATES, P.C.

BY: \_\_\_\_\_  
Stephanie L. Elmore-Sue, Esq.



05/01/2006 12:40 FAX

001/601

**ROSICKI, ROSICKI & ASSOCIATES, P.C.**  
ATTORNEYS AT LAW  
One Old Country Road, Suite 200  
Carle Place, New York 11514  
Telephone (516) 873-6406  
Fax (516) 470-8972  
[rsu@rosicki.com](mailto:rsu@rosicki.com)

May 1, 2006

VIA FACSIMILE (718-287-6801)

Raphael Berger  
Attorney at Law  
111 Clarkson Avenue  
Brooklyn, New York 11226

Re: Federal National Mortgage Association to Althea Thorne  
Premises: 171 East 19<sup>th</sup> Street, Brooklyn, New York

Dear Mr. Berger:

As you are aware, this office represents the Seller in connection with the above referenced matter. You represent the Purchaser in connection with same. Please be advised that if your client forwards the payoff on or before May 5, 2006, the payoff amount is \$333,342.70.

Please have the following checks cut:

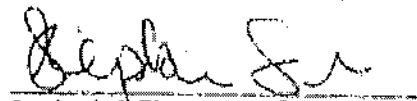
1. A CERTIFIED OR BANK CHECK in the amount of \$303,572.15 made payable to Federal National Mortgage Association.
2. A CERTIFIED OR BANK CHECK in the amount of \$5,921.84 made payable to Rosicki, Rosicki & Associates, P.C.

Should you have any questions, please feel free to contact me at ext. 46.

Very truly yours,

ROSICKI, ROSICKI & ASSOCIATES, P.C.

BY:

  
Stephanie L. Elmore-Sue, Esq. 46

E

WARNING: Original document has an artificial watermark on reverse side and micro printing on signature line.

Branch: 899  
**North Fork Bank**

81689022

BANK MONEY ORDER

DATE 05/03/06

PAID \$ 151,786.08

PAY \*\*\*\*\*151,786 Dollars and 08 Cents

Pay Amount Above Is  
Valid If Aligned

FNMA

899/5995

⑈81689022⑈ ⑆021407912⑆ ⑆4224⑆00573 8⑈

NOT VALID FOR AMOUNTS  
OVER ONE THOUSAND DOLLARS  
*[Signature]*  
AUTHORIZED SIGNATURE  
ADDITIONAL

**citibank**

Citibank, N.A., New York, NY

250229069

FCH 00060 FA# 037

\$0.00 ONL

DATE 05 / 03 / 06

117-04 CK. Ser. #

250229069

\*\*\*\*\*29,786.08\*\*\*\*\*

AY \*\*\*\*TWENTY-NINE THOUSAND SEVEN HUNDRED EIGHTY-SIX  
AND 08/100 DOLLARS\*\*\*\*

\*\*\*\*FEDERAL NATIONAL MORTGAGE ASSOC.\*\*\*\*

DEED 171ES9

NAME OF REMITTER JAMES D. ORLANDO

ADDRESS

Issued by Integrated Payment Systems Inc., Englewood, Colorado  
Citibank, N.A., Buffalo, NY

BY  
AUTHORIZED SIGNATURE

Drawn: Citibank, N.A.

⑈790542⑈ ⑆022000858⑆ 28002502290691⑈

**Independence**

Independence Community Bank  
ST Bank & Trust

345242200201 254309 REV1 0505 8510001544

332674257

25-W11020

Pay To The **FEDERAL NATIONAL MORTGAGE ASSOC.**  
Order Of

Date 05/02/2006

**\$122,000.00**

\*\*\*One Hundred Twenty-Two Thousand Dollars\*\*\*

J. Orlando

Memo Deed 171E.59 st

*[Signature]* (T67B)  
*[Signature]*  
Two Signatures Required for  
Amounts \$10,000 and More

Drawn: Independence Community Bank  
Issued by Integrated Payment Systems Inc., Englewood, Colorado  
JP Morgan Chase Bank, N.A., Denver, Colorado

⑈254399⑈ ⑆02000979⑆ 25003326742579⑈

F

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

**citibank**  
Citibank, N.A. New York, NY

250229070

FC# 00060 FA# 037  
117-05 Ck. Ser.# 250229070 \$0.00 ONL DATE 05 / 03 / 06  
\*\*\*\*\*2,960.92\*\*\*\*\*

PAY \*\*\*\*\*TWO THOUSAND NINE HUNDRED SIXTY AND 92/100 DOLLARS\*\*\*\*\*

TO THE ORDER OF **\*\*\*\*ROSICKI & ROSICKI ASSOC.\*\*\*\***

NAME OF REMITTER **James D. Orlando**  
ADDRESS **171 East 59**

Drawn: Citibank, N.A.

BY *[Signature]*  
AUTHORIZED SIGNATURE

Issued by Integrated Payment Systems Inc., Englewood, Colorado  
To Citibank, N.A. Buffalo, NY

\*790542\* 022000868 28002502290700\*

WARNING: Original document has an artificial watermark on reverse side and micro printing on signature line.

Branch: 899  
**North Fork Bank**

81689023

DATE 05/03/06

EXACTLY \$ 2,960.92

PAY Two Thousand Nine Hundred Sixty Dollars and 92/100

Pay Amount Above Only  
VOID COUNTERFEIT

ROSICKI & ROSICKI

NOT VALID FOR AMOUNTS  
OVER ONE THOUSAND DOLLARS

899/5995

\*81689023\* 0214079420 4224000573 80\*

FRONT OF CHECK  
BANK MONEY ORDER

*[Handwritten mark]*

TP-584 (10/03)



Recording office time stamp

New York State Department of Taxation and Finance

**Combined Real Estate  
Transfer Tax Return,  
Credit Line Mortgage Certificate, and  
Certification of Exemption from the  
Payment of Estimated Personal Income Tax**

See instructions (TP-584-I) before completing this form. Please print or type.

**Schedule A — Information relating to conveyance**

<input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input checked="" type="checkbox"/> Other	Grantor/Transferor	Name (if individual: last, first, middle initial) <b>FEDERAL NATIONAL MORTGAGE ASSOCIATION</b>	Social security number
		Mailing address <b>1900 MARKET STREET, SUITE 100</b>	Social security number
		City <b>PHILADELPHIA</b>	State <b>PA</b>
		ZIP code <b>19103</b>	Federal employer ident. number <b>52 0883107</b>
			Social security number <b>074 74 4217</b>
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Other	Grantee/Transferee	Name (if individual: last, first, middle initial) <b>KINGSTON GLORIA</b>	Social security number
		Mailing address <b>171 EAST 59TH STREET</b>	Social security number
		City <b>BROOKLYN</b>	State <b>NY</b>
		ZIP code <b>11203</b>	Federal employer ident. number

Location and description of property conveyed

Tax map designation			Address	City/village	Town	County
Section	Block	Lot				
3	4731	25	171 EAST 59TH STREET	NEW YORK		BROOKLYN / KINGS

Type of property conveyed (check applicable box)

1 <input checked="" type="checkbox"/> One- to three-family house	5 <input type="checkbox"/> Commercial/industrial	Date of conveyance	Percentage of real property conveyed which is residential real property <u>100</u> % (see instructions)
2 <input type="checkbox"/> Residential cooperative	6 <input type="checkbox"/> Apartment building	<u>5</u> <u>3</u> <u>2006</u>	
3 <input type="checkbox"/> Residential condominium	7 <input type="checkbox"/> Office building	month day year	
4 <input type="checkbox"/> Vacant land	8 <input type="checkbox"/> Other _____		

Condition of conveyance (check all that apply)

a. <input checked="" type="checkbox"/> Conveyance of fee interest	f. <input type="checkbox"/> Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584-I, Schedule F)	i. <input type="checkbox"/> Option assignment or surrender
b. <input type="checkbox"/> Acquisition of a controlling interest (state percentage acquired _____ %)	g. <input type="checkbox"/> Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584-I, Schedule G)	m. <input type="checkbox"/> Leasehold assignment or surrender
c. <input type="checkbox"/> Transfer of a controlling interest (state percentage transferred _____ %)	h. <input type="checkbox"/> Conveyance of cooperative apartment(s)	n. <input type="checkbox"/> Leasehold grant
d. <input type="checkbox"/> Conveyance to cooperative housing corporation	j. <input type="checkbox"/> Syndication	o. <input type="checkbox"/> Conveyance of an easement
e. <input type="checkbox"/> Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584-I, Schedule E)	k. <input type="checkbox"/> Conveyance of air rights or development rights	p. <input type="checkbox"/> Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part III)
	l. <input type="checkbox"/> Contract assignment	q. <input type="checkbox"/> Conveyance of property partly within and partly outside the state
		r. <input checked="" type="checkbox"/> Other (describe) <u>QUIT CLAIM DEED</u>

For recording officer's use	Amount received Schedule B, Part I \$ _____ Schedule B, Part II \$ _____	Date received	Transaction number
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Page 2 of 4 TP-584 (10/03)

**Schedule B — Real estate transfer tax return (Tax Law, Article 31)****Part I — Computation of tax due**

- 1 Enter amount of consideration for the conveyance (If you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III) ☐ Exemption claimed
- 2 Continuing lien deduction (see instructions) If property is taken subject to mortgage or lien
- 3 Taxable consideration (subtract line 2 from line 1)
- 4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3
- 5 Amount of credit claimed (see instructions and attach Form TP-584.1, Schedule G)
- 6 Total tax due\* (subtract line 5 from line 4)

1.	309,493.99
2.	0.00
3.	309,493.99
4.	1,238.00
5.	0.00
6.	1,238.00

**Part II — Computation of additional tax due on the conveyance of residential real property for \$1 million or more**

- 1 Enter amount of consideration for conveyance (from Part I, line 1)
- 2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A)
- 3 Total additional transfer tax due\* (multiply line 2 by 1% (.01))

1.	309,493.99
2.	309,493.99
3.	0.00

**Part III — Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)**

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) ☐
- b. Conveyance is to secure a debt or other obligation ☐
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance ☐
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts ☐
- e. Conveyance is given in connection with a tax sale ☐
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F ☐
- g. Conveyance consists of deed of partition ☐
- h. Conveyance is given pursuant to the federal Bankruptcy Act ☐
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property ☐
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment ☐
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(a) (attach documents supporting such claim) ☐
- l. Other (attach explanation) ☐

\*Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in New York City, make check(s) payable to the *NYC Department of Finance*. If a recording is not required, send this return and your check(s) made payable to the *NYS Department of Taxation and Finance*, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045 Albany NY 12205-5045

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**Schedule C — Credit Line Mortgage Certificate (Tax Law, Article 11)**

Complete the following only if the interest being transferred is a fee simple interest.  
 I (we) certify that: (check the appropriate box)

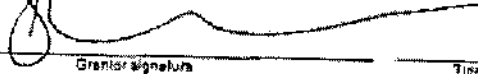

1. ☒ The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
  - ☐ The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
  - ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
  - ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
  - ☐ The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

Please note: for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

- ☐ Other (attach detailed explanation).
3. ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
    - ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
    - ☐ A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
  4. ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in \_\_\_\_\_ (insert liber and page or real or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is \_\_\_\_\_. No exemption from tax is claimed and the tax of \_\_\_\_\_ is being paid herewith. (Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City, make check payable to the NYC Department of Finance.)

**Signature (both the grantor(s) and grantee(s) must sign)**

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete.

	Title		Title
Grantor signature	Title	Grantee signature	Title

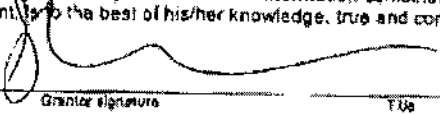

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked a, f, or g in Schedule A, did you complete Form TP-584 1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in New York City, to the NYC Department of Finance? If no recording is required, send your check(s), made payable to the Department of Taxation and Finance, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

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Signature (both the grantor(s) and grantee(s) must sign)

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete.

 _____ Grantor signature	_____ Title	 _____ Grantee signature	_____ Title
_____ Grantor signature	_____ Title	_____ Grantee signature	_____ Title

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**Certification of resident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this property.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

**Exemption for nonresident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property, the transferor(s)/seller(s) (grantor) of this property was a nonresident of New York State, but is not required to pay estimated tax under Tax Law, section 663 due to one of the following exemptions:

- ☐ The property being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) \_\_\_\_\_ to \_\_\_\_\_ (see instructions)  
Date Date
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

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Affidavit of Compliance with Smoke Detector Requirement for One and Two Family Dwellings

# **AFFIDAVIT OF COMPLIANCE WITH SMOKE DETECTOR REQUIREMENT FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New York )  
 ) SS.:  
County of )

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

171 EAST 59TH STREET

Street Address		Unit/Apt.	
<u>BROOKLYN</u>	New York, <u>4731</u>	<u>25</u>	(the "Premises");
Borough	Block	Lot	

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Federal National Mortgage Association  
Name of Grantor (Type or Print)  
[Signature]  
Signature of Grantor

Olivia Kingston  
Name of Grantee (Type or Print)  
[Signature]  
Signature of Grantee

Sworn to before me  
this 3rd date of May 2006

**MARY McLOUGHLIN**  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02MC6100287  
Qualified in Queens County  
Commission Expires 10/14/07

Sworn to before me  
this 3rd date of May 2006

**MARY McLOUGHLIN**  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02MC6100287  
Qualified in Queens County  
Commission Expires 10/14/07

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.

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2006050300624101


**NYC  
RPT**
**NEW YORK CITY DEPARTMENT OF FINANCE  
REAL PROPERTY TRANSFER TAX RETURN**  
(Pursuant to Title 21, Chapter 21, NYC Administrative Code)
**GRANTOR**

• **Name** **FEDERAL NATIONAL MORTGAGE ASSOCIATION**

• Grantor is (isn't): ☐ individual (check one) ☐ partnership (must complete Schedule 3) ☐ corporation ☒ other \_\_\_\_\_ Telephone Number \_\_\_\_\_

• Permanent mailing address after transfer (number and street) **1900 MARKET STREET, SUITE 160**

• City and State **PHILADELPHIA, PA** Zip Code **19103**

• EMPLOYER IDENTIFICATION NUMBER **52-0883107** OR SOCIAL SECURITY NUMBER \_\_\_\_\_

**GRANTEE**

• **Name** **GLORIA KINGSTON**

• Grantee is (isn't): ☒ individual (check one) ☐ partnership (must complete Schedule 3) ☐ corporation ☐ other \_\_\_\_\_ Telephone Number \_\_\_\_\_

• Permanent mailing address after transfer (number and street) **171 EAST 39TH STREET**

• City and State **BROOKLYN, NY** Zip Code **11203**

• EMPLOYER IDENTIFICATION NUMBER \_\_\_\_\_ OR SOCIAL SECURITY NUMBER **074-74-4217**

**PROPERTY LOCATION**

• Address (number and street) **171 EAST 39TH STREET** Apt. No. \_\_\_\_\_ Borough **BROOKLYN** Block **4731** Lot \_\_\_\_\_ # of Floors **2** Square Feet **2,130** • Assessed Value of Property **15,162.00**

• DATE OF TRANSFER TO GRANTEE: **5/3/2006** • PERCENTAGE OF INTEREST TRANSFERRED: **100** %

**CONDITION OF TRANSFER** See Instructions

- Check (✓) all of the conditions that apply and fill out the appropriate schedules on pages 6-11 of this return. Additionally, Schedules 1 and 2 must be completed for all transfers.
- |  |   |
|--|---|
| <p>a. <input checked="" type="checkbox"/> Arms length transfer</p> <p>b. <input type="checkbox"/> Transfer in exercise of option to purchase</p> <p>c. <input type="checkbox"/> Transfer from Cooperative Sponsor to cooperative corporation</p> <p>d. <input type="checkbox"/> Transfer by release or receiver (complete Schedule A, page 5)</p> <p>e. <input type="checkbox"/> Transfer pursuant to marital settlement, agreement or divorce decree</p> <p>f. <input type="checkbox"/> Debt in lieu of foreclosure (complete Schedule C, page 6)</p> <p>g. <input type="checkbox"/> Transfer pursuant to liquidation of an entity (complete Schedule D, page 8)</p> <p>h. <input type="checkbox"/> Transfer from principal to agent, dummy, strawman or conduit or vice-versa (complete Schedule E, page 9)</p> <p>i. <input type="checkbox"/> Transfer pursuant to trust agreement or will (attach a copy of trust agreement or will)</p> <p>j. <input type="checkbox"/> Gift (transfers not subject to indebtedness)</p> <p>k. <input type="checkbox"/> Gift transfer subject to indebtedness</p> <p>l. <input type="checkbox"/> Transfer to a business entity in exchange for an interest in the business entity (complete Schedule F, page 11)</p> | <p>m. <input type="checkbox"/> Transfer to a governmental body</p> <p>n. <input type="checkbox"/> Correction deed</p> <p>o. <input type="checkbox"/> Transfer by or to a tax exempt organization (complete Schedule 5, page 12)</p> <p>p. <input type="checkbox"/> Transfer of property partly within and partly without NY</p> <p>q. <input type="checkbox"/> Transfer of successful bid pursuant to foreclosure</p> <p>r. <input type="checkbox"/> Transfer by borrower solely as security for a debt or a transfer by lender solely to return such security</p> <p>s. <input type="checkbox"/> Transfer wholly or partly exempt as a mere change of identity or form of ownership (complete Schedule M, page 19)</p> <p>t. <input type="checkbox"/> Transfer to a REIT or to a corporation or partnership controlled by a REIT (complete Schedule B, pages 10 and 11)</p> <p>u. <input type="checkbox"/> Other transfers in connection with financing (described): _____</p> <p>v. <input checked="" type="checkbox"/> Other (describe) <b>QUIT CLAIM DEED</b></p> |
|--|---|

**2**
**200605030062410101**
**G**



Form NYC-RPT

Page 2

**● TYPE OF PROPERTY (✓)**

a. ☒ 1-3 family house  
 b. ☐ Individual residential condominium unit  
 c. ☐ Individual cooperative apartment  
 d. ☐ Commercial condominium unit  
 e. ☐ Commercial cooperative  
 f. ☐ Apartment building  
 g. ☐ Office building  
 h. ☐ Industrial building  
 i. ☐ Utility  
 j. ☐ OTHER (describe):

**● TYPE OF INTEREST (✓)**

Check box at LEFT if you intend to record a document related to this transfer. Check box at RIGHT if you do not intend to record a document related to this transfer.

REC.	NON REC.
a. <input checked="" type="checkbox"/>	b. <input type="checkbox"/>
c. <input type="checkbox"/>	d. <input type="checkbox"/>
e. <input type="checkbox"/>	f. <input type="checkbox"/>
g. <input type="checkbox"/>	h. <input type="checkbox"/>
i. <input type="checkbox"/>	j. <input type="checkbox"/>
k. <input type="checkbox"/>	l. <input type="checkbox"/>
m. <input type="checkbox"/>	n. <input type="checkbox"/>
o. <input type="checkbox"/>	p. <input type="checkbox"/>
q. <input type="checkbox"/>	r. <input type="checkbox"/>
s. <input type="checkbox"/>	t. <input type="checkbox"/>
u. <input type="checkbox"/>	v. <input type="checkbox"/>
w. <input type="checkbox"/>	x. <input type="checkbox"/>
y. <input type="checkbox"/>	z. <input type="checkbox"/>
aa. <input type="checkbox"/>	ab. <input type="checkbox"/>
ac. <input type="checkbox"/>	ad. <input type="checkbox"/>
ae. <input type="checkbox"/>	af. <input type="checkbox"/>
ag. <input type="checkbox"/>	ah. <input type="checkbox"/>
ai. <input type="checkbox"/>	aj. <input type="checkbox"/>
ak. <input type="checkbox"/>	al. <input type="checkbox"/>
am. <input type="checkbox"/>	an. <input type="checkbox"/>
ao. <input type="checkbox"/>	ap. <input type="checkbox"/>
aq. <input type="checkbox"/>	ar. <input type="checkbox"/>
as. <input type="checkbox"/>	at. <input type="checkbox"/>
au. <input type="checkbox"/>	av. <input type="checkbox"/>
aw. <input type="checkbox"/>	ax. <input type="checkbox"/>
ay. <input type="checkbox"/>	az. <input type="checkbox"/>
ba. <input type="checkbox"/>	bb. <input type="checkbox"/>
bc. <input type="checkbox"/>	bd. <input type="checkbox"/>
be. <input type="checkbox"/>	bf. <input type="checkbox"/>
bg. <input type="checkbox"/>	bh. <input type="checkbox"/>
bi. <input type="checkbox"/>	bj. <input type="checkbox"/>
bk. <input type="checkbox"/>	bl. <input type="checkbox"/>
bm. <input type="checkbox"/>	bn. <input type="checkbox"/>
bo. <input type="checkbox"/>	bp. <input type="checkbox"/>
bq. <input type="checkbox"/>	br. <input type="checkbox"/>
bs. <input type="checkbox"/>	bt. <input type="checkbox"/>
bu. <input type="checkbox"/>	bv. <input type="checkbox"/>
bw. <input type="checkbox"/>	bx. <input type="checkbox"/>
by. <input type="checkbox"/>	bz. <input type="checkbox"/>
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ce. <input type="checkbox"/>	cf. <input type="checkbox"/>
cg. <input type="checkbox"/>	ch. <input type="checkbox"/>
ci. <input type="checkbox"/>	cj. <input type="checkbox"/>
ck. <input type="checkbox"/>	cl. <input type="checkbox"/>
cm. <input type="checkbox"/>	cn. <input type="checkbox"/>
co. <input type="checkbox"/>	cp. <input type="checkbox"/>
cq. <input type="checkbox"/>	cr. <input type="checkbox"/>
cs. <input type="checkbox"/>	ct. <input type="checkbox"/>
cu. <input type="checkbox"/>	cv. <input type="checkbox"/>
cw. <input type="checkbox"/>	cx. <input type="checkbox"/>
cy. <input type="checkbox"/>	cz. <input type="checkbox"/>
da. <input type="checkbox"/>	db. <input type="checkbox"/>
dc. <input type="checkbox"/>	dd. <input type="checkbox"/>
de. <input type="checkbox"/>	df. <input type="checkbox"/>
dg. <input type="checkbox"/>	dh. <input type="checkbox"/>
di. <input type="checkbox"/>	dj. <input type="checkbox"/>
dk. <input type="checkbox"/>	dl. <input type="checkbox"/>
dm. <input type="checkbox"/>	dn. <input type="checkbox"/>
do. <input type="checkbox"/>	dp. <input type="checkbox"/>
dq. <input type="checkbox"/>	dr. <input type="checkbox"/>
ds. <input type="checkbox"/>	dt. <input type="checkbox"/>
du. <input type="checkbox"/>	dv. <input type="checkbox"/>
dw. <input type="checkbox"/>	dx. <input type="checkbox"/>
dy. <input type="checkbox"/>	dz. <input type="checkbox"/>
ea. <input type="checkbox"/>	eb. <input type="checkbox"/>
ec. <input type="checkbox"/>	ed. <input type="checkbox"/>
ee. <input type="checkbox"/>	ef. <input type="checkbox"/>
eg. <input type="checkbox"/>	eh. <input type="checkbox"/>
ei. <input type="checkbox"/>	ej. <input type="checkbox"/>
ek. <input type="checkbox"/>	el. <input type="checkbox"/>
em. <input type="checkbox"/>	en. <input type="checkbox"/>
eo. <input type="checkbox"/>	ep. <input type="checkbox"/>
eq. <input type="checkbox"/>	er. <input type="checkbox"/>
es. <input type="checkbox"/>	et. <input type="checkbox"/>
eu. <input type="checkbox"/>	ev. <input type="checkbox"/>
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ey. <input type="checkbox"/>	ez. <input type="checkbox"/>
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fe. <input type="checkbox"/>	ff. <input type="checkbox"/>
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fi. <input type="checkbox"/>	fi. <input type="checkbox"/>
fk. <input type="checkbox"/>	fl. <input type="checkbox"/>
fm. <input type="checkbox"/>	fn. <input type="checkbox"/>
fo. <input type="checkbox"/>	fp. <input type="checkbox"/>
fq. <input type="checkbox"/>	fr. <input type="checkbox"/>
fs. <input type="checkbox"/>	ft. <input type="checkbox"/>
fu. <input type="checkbox"/>	fv. <input type="checkbox"/>
fw. <input type="checkbox"/>	fx. <input type="checkbox"/>
fy. <input type="checkbox"/>	fz. <input type="checkbox"/>
ga. <input type="checkbox"/>	gb. <input type="checkbox"/>
gc. <input type="checkbox"/>	gd. <input type="checkbox"/>
ge. <input type="checkbox"/>	ge. <input type="checkbox"/>
gi. <input type="checkbox"/>	gj. <input type="checkbox"/>
gk. <input type="checkbox"/>	gl. <input type="checkbox"/>
gm. <input type="checkbox"/>	gn. <input type="checkbox"/>
go. <input type="checkbox"/>	gp. <input type="checkbox"/>
gq. <input type="checkbox"/>	gr. <input type="checkbox"/>
gs. <input type="checkbox"/>	gt. <input type="checkbox"/>
gu. <input type="checkbox"/>	gv. <input type="checkbox"/>
gw. <input type="checkbox"/>	gx. <input type="checkbox"/>
gy. <input type="checkbox"/>	gz. <input type="checkbox"/>
ha. <input type="checkbox"/>	hb. <input type="checkbox"/>
hc. <input type="checkbox"/>	hd. <input type="checkbox"/>
he. <input type="checkbox"/>	he. <input type="checkbox"/>
hi. <input type="checkbox"/>	hj. <input type="checkbox"/>
hk. <input type="checkbox"/>	hl. <input type="checkbox"/>
hm. <input type="checkbox"/>	hn. <input type="checkbox"/>
ho. <input type="checkbox"/>	hp. <input type="checkbox"/>
hq. <input type="checkbox"/>	hr. <input type="checkbox"/>
hs. <input type="checkbox"/>	ht. <input type="checkbox"/>
hu. <input type="checkbox"/>	hv. <input type="checkbox"/>
hw. <input type="checkbox"/>	hx. <input type="checkbox"/>
hy. <input type="checkbox"/>	hz. <input type="checkbox"/>
ia. <input type="checkbox"/>	ib. <input type="checkbox"/>
ic. <input type="checkbox"/>	id. <input type="checkbox"/>
ie. <input type="checkbox"/>	ie. <input type="checkbox"/>
if. <input type="checkbox"/>	ig. <input type="checkbox"/>
ih. <input type="checkbox"/>	ih. <input type="checkbox"/>
ik. <input type="checkbox"/>	il. <input type="checkbox"/>
im. <input type="checkbox"/>	in. <input type="checkbox"/>
io. <input type="checkbox"/>	ip. <input type="checkbox"/>
iq. <input type="checkbox"/>	ir. <input type="checkbox"/>
is. <input type="checkbox"/>	it. <input type="checkbox"/>
iu. <input type="checkbox"/>	iv. <input type="checkbox"/>
iw. <input type="checkbox"/>	ix. <input type="checkbox"/>
iy. <input type="checkbox"/>	iz. <input type="checkbox"/>
ja. <input type="checkbox"/>	jb. <input type="checkbox"/>
jc. <input type="checkbox"/>	jd. <input type="checkbox"/>
je. <input type="checkbox"/>	je. <input type="checkbox"/>
ji. <input type="checkbox"/>	jj. <input type="checkbox"/>
jk. <input type="checkbox"/>	jl. <input type="checkbox"/>
jm. <input type="checkbox"/>	jn. <input type="checkbox"/>
jo. <input type="checkbox"/>	jp. <input type="checkbox"/>
jq. <input type="checkbox"/>	jr. <input type="checkbox"/>
js. <input type="checkbox"/>	jt. <input type="checkbox"/>
ju. <input type="checkbox"/>	ju. <input type="checkbox"/>
jw. <input type="checkbox"/>	jx. <input type="checkbox"/>
jy. <input type="checkbox"/>	jz. <input type="checkbox"/>
ka. <input type="checkbox"/>	kb. <input type="checkbox"/>
kc. <input type="checkbox"/>	kd. <input type="checkbox"/>
ke. <input type="checkbox"/>	ke. <input type="checkbox"/>
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ue. <input type="checkbox"/>	ue. <input type="checkbox"/>
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uk. <input type="checkbox"/>	ul. <input type="checkbox"/>
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uq. <input type="checkbox"/>	ur. <input type="checkbox"/>
us. <input type="checkbox"/>	ut. <input type="checkbox"/>
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ce. <input type="checkbox"/>	ce. <input type="checkbox"/>
ci. <input type="checkbox"/>	cj. <input type="checkbox"/>
ck. <input type="checkbox"/> </	

Form NYC-RPT

Page 4

**GRANTOR'S ATTORNEY**

Name of Attorney <b>ROSICKI, ROSICKI &amp; ASSOCIATES, P.C.</b>		Telephone Number <b>516 873-6406</b>	
Address (number and street) <b>ONE OLD COUNTRY ROAD SUITE 200</b>		City and State <b>CARLE PLACE, NY</b>	Zip Code <b>11514</b>
EMPLOYER IDENTIFICATION NUMBER	<input type="text"/>	OR	SOCIAL SECURITY NUMBER

**GRANTEE'S ATTORNEY**

Name of Attorney <b>RAPHAEL BERGER</b>		Telephone Number <b>718 856-5100</b>	
Address (number and street) <b>111 CLARKSON AVENUE</b>		City and State <b>BROOKLYN, NY</b>	Zip Code <b>11226</b>
EMPLOYER IDENTIFICATION NUMBER	<input type="text"/>	OR	SOCIAL SECURITY NUMBER

**CERTIFICATION**

I swear or affirm that this return, including any accompanying schedules, affidavits and attachments, has been examined by me and is, to the best of my knowledge, a true and complete return made in good faith, pursuant to Title 11, Chapter 21 of the Administrative Code and the regulations issued thereunder.

**GRANTOR**

Sworn to and subscribed to

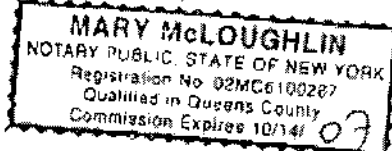
before me on this 3rd dayof May 2006

Signature of Notary

EMPLOYER IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER

Name of Grantor

Signature of Grantor

**GRANTEE**

Sworn to and subscribed to

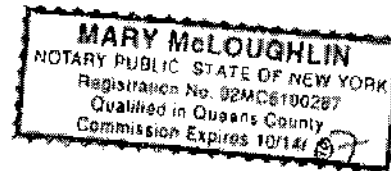
before me on this 3rd dayof May 2006

Signature of Notary

EMPLOYER IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER

Name of Grantee

Signature of Grantee



GRANTEE: To ensure that your property and where your tax bills are sent to the proper address, you must register the Registration form including mobile phones, Owner's Registration Cards can also be obtained by calling the Department of Finance at (718) 625-8000.

5

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G

Form NYC-RPT

Page 11

## WORKSHEET FOR CONDITIONS 1 ( ) 1 ( )

1. Add lines 1, 2, 7, 8, 9 and 10 from Form NYC-RPT, Schedule 1 and enter total here: 1. \$ 309,493.99

2a. Enter total number of REIT shares received: a. 0

b. Enter maximum number of REIT shares into which ownership interests may be converted: b. 0

c. Add lines a and b: c. 0

d. Enter offering price per share of REIT shares on the date of the transaction reported: d. 0.00

e. Multiply line 2c by line 2d: e. 0.00

f. Enter value of ownership interests received not convertible into REIT shares: f. 0.00

g. Add lines e and f: g. 0.00

3. Multiply line 1 by .40 for condition 1(a) or .50 for condition 1(b): 3. 0.00

• If line 3 is greater than line 2g, the transaction does not qualify as a REIT transfer. DO NOT FILE THIS SCHEDULE. You must file Form NYC-RPT and compute your tax due on Schedule 2.

• If line 3 is less than or equal to line 2g, the transaction will qualify as a REIT Transfer, provided the other conditions are met. You should complete Form NYC-RPT substituting on line 4 of Schedule 2:

- .5% instead of 1%;
- .7125% instead of 1.425%;
- 1.3125% instead of 2.625%.

SEE INSTRUCTIONS TO DETERMINE WHICH TAX RATE APPLIES

## Instructions for Completing Worksheet

## LINE 1

Where the value of the underlying property transferred or interest therein is used in determining the consideration for a REIT Transfer, you may, but are not required to, report as the value of the real property or interest therein (Form NYC-RPT, Schedule 1, line 7), the estimated market value as determined by the Department of Finance as reflected on the most recent Notice of Assessment issued by the Department. (See *Statements of Audit Procedure 93-2-GGT/RPT, 3/1/93* and *95-1-GGT/RPT, 7/28/95*) Add to the amount reported on line 1 the amount of any mortgages and other liens and encumbrances created in contemplation of the formation of the REIT in the case of condition 1(a) or in contemplation of the transaction reported on this Schedule R in the case of condition 1(b).

## LINE 2

If the grantor received REIT shares as consideration for the transfer, enter on line 2a the number of REIT shares received. If

the grantor received interests in a partnership or corporation controlled by the REIT that may be converted into REIT shares, enter on line 2b the maximum number of REIT shares into which such interests may be converted and attach an explanation of the terms of the conversion. If the grantor received interests that may be converted into REIT shares but you believe that the offering price for the REIT shares into which such interests may be converted is not a proper measurement of the value of the interests received, do not complete line 2b. Instead, attach an explanation of the terms of the conversion and enter on line 2f the fair market value of the interests received. If the grantor received interests in a partnership or corporation controlled by the REIT that cannot be converted into REIT shares at any time, enter on line 2f the fair market value of the interests received. If you enter an amount on line 2f, attach an explanation of the method used for determining the value of the interests received.

## CERTIFICATION

I swear or affirm under penalties of perjury that the grantor has no present intention to transfer or convey the REIT shares or interests in a partnership or corporation controlled by the REIT received by the grantor as consideration in the transaction reported on this Schedule R within two years of the date of the transfer, other than a distribution of such shares or interests to the partners or shareholders of the grantor, and that, to the best of my knowledge, condition 3 above regarding the use of the cash proceeds of the REIT offering will be satisfied. If applicable, I further swear or affirm that I will file an amended Form NYC-RPT and pay any additional tax due if any such transfer or conveyance occurs within such two-year period or if condition 3 above, if applicable, ceases to be met.

GRANTOR		GRANTEE	
Sworn to and subscribed to before me on this _____ day of _____	Name of Grantor	Sworn to and subscribed to before me on this <u>3rd</u> day of <u>May</u> , <u>2006</u>	Name of Grantee
Signature of Notary	Signature of Grantor	Signature of Notary <u>Mary Loughlin</u>	Signature of Grantee <u>De Winston</u>
		<b>MARY LOUGHLIN</b> NOTARY PUBLIC - STATE OF NEW YORK Registration No. 02MC6100297 Qualified in Queens County Commission Expires 10/11/07	

17

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The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

### Customer Registration Form for Water and Sewer Billing

#### Property and Owner Information:

- (1) Property receiving service is located in the Borough of **BROOKLYN**  
Block: 4731 Lot: 28
- (2) Account Number (if applicable):  
Meter Number (if available—include the letter):
- (3) Street Address of Property Receiving Service:  
Street **171 EAST 59TH STREET** City **NY** State **NY** Zip **11203**
- (4) Full name, mailing address, home phone and business phone numbers of owner of property receiving service:  
(please provide information on owner ONLY; do NOT give information on property manager or tenant):
- Owner's Name Business:  
or Individual: **KINSTON** **GLORIA**  
(Last Name) (First Name) (MI)  
Street **171 EAST 59TH STREET** City **BROOKLYN** State **NY** Zip **11203**  
Home Phone (Numbers only): Business Phone (Numbers only):

#### Customer Billing Information:

##### PLEASE NOTE:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges.
- B. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, or the property being placed in a lien sale by the City.
- C. Original bills for water and/or sewer service will be mailed to the owner, at the owner's address specified on this form. DEP will provide a duplicate copy of bills to one other party (such as a managing agent) if so requested below, provided, however, that any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her/its liability to pay all outstanding water and sewer charges.
- (5) If you would like a duplicate copy of bills sent to another party, please check here ☐ and fill out the following information:  
Name of Party to Receive Duplicate Copies of Bills:
- (6) Mailing Address: Street City State Zip
- (7) Relationship to Owner (check one): Managing Agent ☐ Mortgagee ☐  
Tenant ☐ Other (please explain):

#### Owner's Approval

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A, B, C under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge

- (8) Owner's EIN or SSN (Numbers only): E-mail:
- (9) Name of Owner:

- (10) Signature: *Diana Kingston*  
Name and Title of Person Signing for Owner, if applicable:  
Date (mm/dd/yyyy):   /  /

FOR CITY USE ONLY

C1. County Code          C2. Date Deed Recorded          /          /           
 Month Day Year

C3. Book          OR          C4. Page         

C5. CRFH         

**REAL PROPERTY TRANSFER REPORT**  
 STATE OF NEW YORK  
 STATE BOARD OF REAL PROPERTY SERVICES  
**RP - 5217NYC**  
 (Rev. 1/1/2005)

**PROPERTY INFORMATION**

1. Property Location 171 EAST 59TH STREET BROOKLYN 11203  
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name KINSTON GLORIA  
 LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address                             
 LAST NAME / COMPANY FIRST NAME

4. Indicate the number of Assessment Roll parcels transferred on the deed          # of Parcels OR ☐ Part of a Parcel

5. Deed Property Size 100 X 20 OR          ACRES  
 FRONT FEET DEPTH ACRES

6. Seller Name FEDERAL NATIONAL MORTGAGE ASSOCIATION  
 LAST NAME / COMPANY FIRST NAME

7. Check the box below which most accurately describes the use of the property at the time of sale:  
 A ☒ One Family Residential C ☐ Residential Vacant Land E ☐ Commercial G ☐ Entertainment / Amusement I ☐ Industrial  
 B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☐ Apartments H ☐ Community Service J ☐ Public Service

**SALE INFORMATION**

10. Sale Contract Date 5 / 3 / 2006  
 Month Day Year

11. Date of Sale / Transfer 5 / 3 / 2006  
 Month Day Year

12. Full Sale Price \$ 3 0 9 4 9 3  
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations. Please round to the nearest whole dollar amount.)

13. Indicate the value of personal property included in the sale         

14. Check one or more of these conditions as applicable to transfer:  
 A ☐ Sale Between Relatives or Former Relatives  
 B ☐ Sale Between Related Companies or Partners in Business  
 C ☐ One of the Buyers is also a Seller  
 D ☐ Buyer or Seller is Government Agency or Lending Institution  
 E ☒ Deed Type not Warranty or Bargain and Sale (Specify Below)  
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)  
 G ☐ Significant Change in Property Between Taxable Status and Sale Date  
 H ☐ Sale of Business is Included in Sale Price  
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)  
 J ☐ None

**ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill**

15. Building Class B 2 16. Total Assessed Value (of all parcels in transfer)         

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))  
BROOKLYN 4731 23

**CERTIFICATION** I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

**BUYER**  
Gloria Kinston  
 BUYER SIGNATURE DATE

**BUYER'S ATTORNEY**  
718 856-5100  
 LAST NAME FIRST NAME  
718 856-5100  
 AREA CODE TELEPHONE NUMBER  
                   
 SELLER  
          
 SELLER SIGNATURE DATE 5/3/06

CITY OR TOWN STATE ZIP CODE

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Page 4 of 4 TP-584 (10/03)

**Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)**  
 Complete the following only if a fee simple interest is being transferred by an individual or estate or trust.

**Part I - New York State residents**

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the property is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

**Certification of resident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this property.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

**Part II - Nonresidents of New York State**

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 683. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must use Form IT-2063, *Nonresident Real Property Estimated Income Tax Payment Form*, and pay the full amount of estimated tax, if any, to the recording officer at the time the deed is presented for recording.

**Exemption for nonresident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property, the transferor(s)/seller(s) (grantor) of this property was a nonresident of New York State, but is not required to pay estimated tax under Tax Law, section 663 due to one of the following exemptions:

- ☐ The property being sold or transferred qualifies in total as the transferor/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from \_\_\_\_\_ Date \_\_\_\_\_ to \_\_\_\_\_ Date \_\_\_\_\_ (see instructions).
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

2006050300624301

TF

CERTIFICATION				I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.			
BUYER				BUYER'S ATTORNEY			
<i>Isma Kingdon</i> <small>BUYER SIGNATURE</small>				<small>LAST NAME</small> <small>FIRST NAME</small>			
<small>DATE</small>				<small>718</small> <small>856-5100</small> <small>AREA CODE</small> <small>TELEPHONE NUMBER</small>			
<small>STREET ADDRESS</small> <small>STREET NAME (AFTER SALE)</small>				<small>SELLER</small> <small>DATE</small> <i>5/3/06</i>			
<small>CITY/TOWN</small> <small>STATE</small> <small>ZIP CODE</small>				<small>SIGNATURE</small>			

2006050300624201

*G*

Index No. 14892 Year 2006 RJINo. \_\_\_\_\_ Hon. \_\_\_\_\_  
SUPREME COURT OF THE STATE OF THE NEW YORK  
COUNTY OF KINGS

GLORIA KINGSTON,

Plaintiff,

-against-

FEDERAL NATIONAL MORTGAGE ASSOCIATION  
and ROSICKI, ROSICKI & ASSOCIATES, P.C.,

SUMMONS AND VERIFIED COMPLAINT

RAPHAEL BERGER  
ATTORNEY AT LAW

Attorney for Plaintiff

Office and Post Office Address, Telephone  
111 Clarkson Avenue  
BROOKLYN, NY 11226  
TEL: 718-856-5100  
FAX: 718-287-6801

To

Signature (Rule 130-1.1-a)

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Please take notice

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order  
settlement to the HON.  
of the within named court, at

of which the within is a true copy will be presented for  
one of the judges

on

at

M

Dated,

Yours, etc.

RAPHAEL BERGER  
ATTORNEY AT LAW

To

Attorney for Plaintiff

ACKNOWLEDGEMENT

Office and Post Office Address, Telephone

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

INDEX NO. 14892/2006

-----X  
GLORIA KINGSTON,

Plaintiff,

NOTICE OF

-against-

PENDING

FEDERAL NATIONAL MORTGAGE ASSOCIATION  
and ROSICKI, ROSICKI & ASSOCIATES, P.C.,

Defendants.  
-----X

Notice is hereby given that an action has been commenced and is now pending in this court, upon the complaint of the above-named plaintiff, GLORIA KINGSTON, against the above-named defendants FEDERAL NATIONAL MORTGAGE ASSOCIATION and ROSICKI, ROSICKI & ASSOCIATES, P.C., for specific performance of a certain contract of sale of real property, more particularly described as 171 East 59<sup>th</sup> Street, Brooklyn, New York 11203, in the County of Kings, City and State of New York, Block 4731 Lot 25.

Signature (Rule 130-1.1-a)

  
RAPHAEL BERGER

RAPHAEL BERGER, ESQ.  
Attorney for Plaintiff  
Brooklyn, N.Y. 11226  
(718) 856-5100  
Fx (718) 287-6801

To the Clerk of the County of Kings:  
You are hereby directed to index the within notice to the names of each of the following: plaintiff, GLORIA KINGSTON and defendants, FEDERAL NATIONAL MORTGAGE ASSOCIATION, and ROSICKI, ROSICKI & ASSOCIATES, P.C., or, if the clerk maintains a block index, of the county of Kings, against BLOCK 4731 LOT 25.  
Dated: Brooklyn, New York  
May 11, 2006.



## Schedule A

Title Number: FF-2188109  
Policy No.: (none)

### SCHEDULE A

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, known and designated as Lot #43 in Block 4731 on a certain plan or map of lots called Rugby E surveyed for Wood, Harmon & Co., 1901 by Fred L. Bartlett, C.E. and filed in the Register's Office of Kings County, 8/7/02 as Map No. 1399, bounded and described as follows:

BEGINNING at a point on the easterly side of East 59<sup>th</sup> Street, distant 220 feet southerly from the corner formed by the intersection of the easterly side of East 59<sup>th</sup> Street and the southerly side of Snyder Avenue;

RUNNING THENCE easterly parallel with Snyder Avenue and part of the distance through a party wall, 100 feet;

THENCE southerly parallel with East 59<sup>th</sup> Street, 20 feet;

THENCE westerly parallel with Snyder Avenue and part of the distance through a party wall, 100 feet to the easterly side of East 59<sup>th</sup> Street;

THENCE northerly along the easterly side of East 59<sup>th</sup> Street, 20 feet to the point or place of BEGINNING.

District \_\_\_\_\_ Section \_\_\_\_\_ Block 4731 Lot 25

This Schedule A has been made accessible via our website for review only purposes. The final Schedule will be included with your Title Commitment. Any changes made to the Schedule which have not been sanctioned by TitleServ, Inc. will not be included in the title policy and therefore will not be insured.

Giddings  
FK- 02-1369-F

201/1/1

Issued by  
TITLESERV, INC.  
(516) 719-4200  
(203) 831-0700

Schedule A includes Page 1 of 1



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

INDEX NO.

-----X  
GLORIA KINGSTON,

Plaintiff,

**NOTICE OF**

-against-


**PENDENCY**

FEDERAL NATIONAL MORTGAGE ASSOCIATION  
and ROSICKI, ROSICKI & ASSOCIATES, P.C.,

Defendants.  
-----X

Signature (Rule 130-1.1-a)

RAPHAEL BERGER, ESQ.  
Attorney for Plaintiff(s)  
Brooklyn, N.Y. 11226  
(718) 856-5100  
Fx (718) 287-6801

  
RAPHAEL BERGER



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

GLORIA KINGSTON,

Plaintiff,

-against-

ROSICKI, ROSICKI & ASSOCIATES, P.C.,  
and FEDERAL NATIONAL MORTGAGE  
ASSOCIATION a/k/a FANNIE MAE,

**Defendants.**

Civil Action No.

# JOINDER IN NOTICE OF REMOVAL

Defendant Rosicki, Rosicki & Associates, P.C., submits this Joinder in Federal National Mortgage Association's Notice of Removal, incorporated herein by reference. Rosicki, Rosicki & Associates, P.C. consents to and adopts all grounds set forth in said Notice of Removal.

Dated: Carle Place, New York  
June 14, 2006

ROSICKI, ROSICKI & ASSOCIATES, P.C.

By: \_\_\_\_\_

ANDREW MORGANSTERN, ESQ.  
One Old Country Road, Suite 200  
Carle Place, New York 11514  
(516) 741-2585

(ACM 7432)